



REGION 6  
1445 ROSS AVENUE  
DALLAS, TEXAS 75202-2733

NPDES Permit No NM0030830

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## **AUTHORIZATION TO DISCHARGE UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

In compliance with the provisions of the Clean Water Act, as amended, (33 U.S.C. 1251 et. seq; the "Act"),

Facility: J.C. Septic – Balliet

J.C. Septic Inc  
John Vandamme – Operator  
8401 Rancho Verano Ct. NW  
Albuquerque, NM 87120

AND

Jean Balliet - Homeowner  
HC 68 Box 62C  
Taos, NM 87571

jointly and severally liable, are authorized to discharge from a facility located at #25 Sarita St, Los Cordovas, Taos County, NM. The discharge from the facility is to an unnamed ditch, thence to the Rio Pueblo de Taos, thence to the Rio Grande in Segment No. 20.6.4.122 of the Rio Grande Basin.

The discharges are located on that water at the following coordinates:

Outfall 001: Latitude 36° 23.008' North and Longitude 105° 38.150' West

in accordance with this cover page and the effluent limitations, monitoring requirements, and other conditions set forth in Part I, Part II, Part III, and Part IV hereof.

This is a first time-issuance.

This permit shall become effective on

This permit and the authorization to discharge shall expire at midnight,

Issued on

Prepared by

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Miguel I. Flores  
Director  
Water Quality Protection Division (6WQ)

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Laurence E. Giglio  
Environmental Engineer  
Permits & Technical Section (6WQ-PP)

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## **PART I – REQUIREMENTS FOR NPDES PERMITS**

### **SECTION A. LIMITATIONS AND MONITORING REQUIREMENTS**

#### 1. FINAL Effluent Limits – 0.0005 MGD Design Flow

During the period beginning the effective date of the permit and lasting through the expiration date of the permit (unless otherwise noted), the permittee is authorized to discharge treated sanitary wastewater to Rio Pueblo de Taos, in Segment Number 20.6.4.122, from Outfall 001. Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS		DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
		Standard Units			
POLLUTANT	STORET CODE	MINIMUM	MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
PH	00400	6.6	8.8	Once/Month (*1)	Grab

EFFLUENT CHARACTERISTICS		DISCHARGE LIMITATIONS					MONITORING REQUIREMENTS	
		lbs/day, unless noted		mg/l, unless noted				
POLLUTANT	STORET CODE	30-DAY AVG	7-DAY AVG	30-DAY AVG	7-DAY AVG	DAILY MAX	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow	50050	Report GPD	Report GPD	***	***	***	Once/Month (*1)	Estimate (*2)
Biochemical Oxygen Demand, 5-day	00310	Report	Report	20	30	N/A	Once/Month (*1)	Grab
Total Suspended Solids	00530	Report	Report	20	30	N/A	Once/Month (*1)	Grab
Fecal Coliform Bacteria	74055	N/A	N/A	100 (*3, 4)	N/A	200 (*3, 4)	Once/Year (*5)	Grab
E. Coli Bacteria	51040	N/A	N/A	126 (*3, 6)	N/A	235 (*3, 6)	Once/Month (*1)	Grab

EFFLUENT CHARACTERISTICS	DISCHARGE MONITORING		MONITORING REQUIREMENTS	
WHOLE EFFLUENT TOXICITY TESTING (48-Hr. Static Renewal) (*7)	30-DAY AVG	24-HR MINIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Pimephales promelas	Report	Report	Once/Term (*8)	Grab
Daphnia pulex	Report	Report	Once/Term (*8)	Grab

Footnotes:

- \*1 Sample events for any reporting period shall be taken at least fifteen (15) days from the first sample event of the previous reporting period.
- \*2 "Estimate" flow measurements shall not be subject to the accuracy provisions established at Part III.C.6. Flow may be estimated using sound analytical techniques.
- \*3 Colony forming units (cfu) per 100 ml.
- \*4 Fecal coliform may be eliminated when the standard for E. coli is approved.
- \*5 To be sampled during the first discharge after the permit effective date, yearly during the same month thereafter.
- \*6 The permittee shall use only the State of New Mexico approved analytical methods as required by 20.6.4.14 NMAC, revised State of New Mexico Water Quality Standards as amended through February 16, 2006. The latest edition of Standard Methods, 20th Edition, contains methods for E. coli bacteria analysis 9221-E and 9221-F that are consistent with the State of New Mexico approved analytical methods for wastewater. The permittee may use these methods for E. coli analysis for wastewater until the time EPA approves the proposed 40 CFR 136 methods (Colilert, Colilert-18, m-ColiBlue 24, membrane filter method). At that time, all the aforementioned methods will be acceptable.
- \*7 Monitoring and reporting requirements begin on the effective date of this permit. See Part II, Whole Effluent Toxicity Testing Requirements for additional WET monitoring and reporting conditions.
- \*8 Once per permit-term. The discharge shall be tested between November 1 and April 30 after the permit effective date. This permit does not establish requirements to automatically increase the WET testing frequency after a test failure, or to begin a toxicity reduction evaluation (TRE) in the event of multiple test failures. However, upon failure of any WET test, the permittee must report the test results to EPA and NMED, Surface Water Quality Bureau, in writing, within 5 business days of notification the test failure. EPA and NMED will review the test results and determine the appropriate action necessary, if any. (See Part II, Section D).

**FLOATING SOLIDS, VISIBLE FOAM AND/OR OILS**

There shall be no discharge of floating solids or visible foam in other than trace amounts. There shall be no discharge of visible films of oil, globules of oil, grease or solids in or on the water, or coatings on stream banks.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the discharge from the final treatment unit prior to the receiving stream.

**B. OPERATOR/HOMEOWNER RELATIONSHIP**

The permit is issued to both the operator of the system, known as the Responsible Management Entity (RME), and the homeowner. Both parties are jointly and severally liable for the terms and conditions of the permit. Individually, the parties will be referred to as homeowner and the RME. Collectively, they will be referred to as the stakeholders. In sections that follow, the permit will establish the role of the homeowner, the RME and the stakeholders. When a designation is not made, it shall be the responsibility for that item of the RME. Used throughout the permit, the cover page, Parts I, II, III and IV, the term permittee shall mean the RME, unless specifically designated to the homeowner, or the stakeholders.

**C. SCHEDULE OF COMPLIANCE**

Compliance with the permit shall commence with the effective date.

**D. MONITORING AND REPORTING (MINOR DISCHARGERS)**

Monitoring information shall be on Discharge Monitoring Report Form(s) EPA 3320-1 as specified in Part III.D.4 of this permit and shall be submitted quarterly. The RME shall prepare the form, and the signature of the RME alone will be sufficient for its submittal.

1. Reporting periods shall end on the last day of the months March, June, September, and December.
2. The RME is required to submit regular quarterly reports as described above postmarked no later than the 28<sup>th</sup> day of the month following each reporting period.
3. If any 7-day average or daily maximum value exceeds the effluent limitations specified in Part I.A, the RME shall report the excursion in accordance with the requirements of Part III.D.

4. Any 30-day average, 7-day average, or daily maximum value reported in the required Discharge Monitoring Report which is in excess of the effluent limitation specified in Part I.A shall constitute evidence of violation of such effluent limitation and of this permit.
5. Other measurements of oxygen demand (e.g., TOC and COD) may be substituted for five-day Biochemical Oxygen Demand (BOD<sub>5</sub>) or for five-day Carbonaceous Biochemical Oxygen Demand (CBOD<sub>5</sub>), as applicable, where the RME can demonstrate long-term correlation of the method with BOD<sub>5</sub> or CBOD<sub>5</sub> values, as applicable. Details of the correlation procedures used must be submitted and prior approval granted by the permitting authority for this procedure to be acceptable. Data reported must also include evidence to show that the proper correlation continues to exist after approval.

#### **E. OPERATION AND MAINTENCE OF POLLUTION CONTROLS**

##### **1. Management Agreement**

At the time of installation of the Multi-Flo treatment system, the homeowner shall enter into a management agreement (MA) with the RME. The MA is to ensure that the unit is properly installed, if not already installed, operated and maintained, and capable of meeting the effluent limitations required in this permit. Discharges from the Multi-Flo system when a MA is not in effect is prohibited, and such discharges are in violation of this permit. The only exception to the MA is when the homeowner is properly certified in accordance with the rules and regulations of the State of New Mexico for this type of activity. A term of condition in the MA is that the RME have State operator certification that is appropriate for the activity. (See item No 2 below.) A requirement of the MA is that a 30-day prior notification be provided by either party, when practical, for the MA's termination. The RME shall provide both to EPA and the NMED Surface Water Quality Bureau, within 5 days of execution, a copy of the signed MA. Any changes to the MA shall also be sent in writing to EPA and NMED within 5 days.

##### **2. Operator Certification**

At all times this permit is in effect, the RME or the homeowner (if the homeowner is acting as the RME) shall be properly certified and in possession of a valid operators certification, in accordance with the rules and requirements of the State of New Mexico for this type of activity. Any discharges while the RME has for any reason had their State of New Mexico operator certification revoked, suspended or forfeited, or the certification has lapsed, is a violation of the permit. The RME shall notify EPA, NMED Surface Water Quality Bureau and the homeowner orally within 24-hours, upon loss of his State operator's certification. The loss of certification

will serve as an automatic termination of the MA, and the homeowner shall immediately secure the services of a replacement RME, and the execution of a new MA.

**F. OVERFLOW REPORTING**

The RME shall report all overflows with the Discharge Monitoring Report submittal. These reports shall be summarized and reported in tabular format. The summaries shall include: the date, time, duration, location, estimated volume, and cause of the overflow; observed environmental impacts from the overflow; actions taken to address the overflow; and ultimate discharge location if not contained (e.g., storm sewer system, ditch, tributary).

Overflows that endanger health or the environment shall be orally reported to EPA at (214) 665-6595, and NMED Surface Water Quality Bureau at (505) 827-0187, within 24 hours from the time the RME becomes aware of the circumstance. A written report of overflows that endanger health or the environment shall be provided to EPA and the NMED Surface Water Quality Bureau within 5 days of the time the RME becomes aware of the circumstance.

In the event the homeowner witnesses an overflow or an upset, the homeowner shall orally report the incident to the RME within 24 hours. Additionally, the homeowner shall make a separate written report, in simple letter format, with his signature, and provide it to EPA and the NMED Surface Water Quality Bureau within 5 days of the time the homeowner becomes aware of the circumstance. The RME shall include the incident in the summary section of the appropriate monthly DMR.

**G. POLLUTION PREVENTION REQUIREMENTS**

The stakeholders shall institute a program within 12 months of the effective date of the permit (or continue an existing one) directed towards optimizing the efficiency and extending the useful life of the facility. The stakeholders shall consider the following items in the program:

- a. The influent loadings, flow and design capacity;
- b. The effluent quality and plant performance;
- c. The age and expected life of the wastewater treatment facility's equipment;
- d. Bypasses and overflows of the tributary sewerage system and treatment works;
- e. New developments at the facility;
- f. Operator certification and training plans and status;
- g. The financial status of the facility;
- h. Preventative maintenance programs and equipment conditions and;
- i. An overall evaluation of conditions at the facility.

**H. PROPERTY RIGHTS**

The issuance of this permit does not convey any property rights of any sort, or any exclusive privilege, nor does it authorize any injury to persons or property or invasion of other private rights, or any infringement of State or local law or regulations.

**I. BEST MANAGEMENT PRACTICES**

The permit shall establish the following Best Management Practices (BMP's) to help assure the Multi-Flo (MTF) system's operation

**1. Homeowner BMP's**

Check the alarm by testing it according to the schedule in the manufacturer's owner manual.

Report to the RME orally within 24 hours, as soon as an operational problem with the MTF unit is observed.

Notify the RME orally within 24 hours, if the system is to have an extended period of non-use, defined as a minimum of four (4) weeks.

If the residence is equipped with a garbage disposal system, the homeowner shall minimize its use. Greater use of the disposal system increases the solids buildup in the system, decreasing effectiveness of the system.

Use low-sudsing, low phosphate biodegradable detergents.

Large daily flows that are in excess of the units design (500-gallons)

Other substances that are deleterious to the development and maintenance of the systems biological treatment process.

Reduce/eliminate the following consumables from being disposed of into the system:

- Disposable baby diapers
- Sanitary napkins
- Rubber/plastic products
- Rags, grit, coffee grounds
- Wet-strength paper towels, flushable wipes
- Greases and oils
- Volatile substances
- Metals from home-based craft and/or hobbies



Prescription and non-prescription medicines, dietary supplements, vitamins and minerals

2. RME BMP's

The RME shall be certified as a Small Advanced Wastewater Operator in accordance with NMED Utility Operator Certification (20.7.4 NMAC) requirements. A certified operator shall do all routine operation and/or maintenance service work performed on the MTF unit.

The RME shall create a Maintenance and Operational Journal (MOJ). The MOJ shall report all inspections, maintenance activities, equipment servicing and/or equipment replacement and other requirements that follow.

The MOJ shall be maintained at the RME's principal business address.

The RME shall make the MOJ available for inspection by EPA, NMED or their authorized representative.

Alarms must be maintained and operational at all times. The RME shall ensure that the remote alarm be functioning at each inspection of the system, but shall be performed at least once per month. The date of all inspections shall be entered into the MOJ.

The MTF system shall be serviced at a minimum once per six (6) months. The results of routine service shall be reported in the MOJ. All parts of the MTF shall be inspected during these semi-annual inspections, including but not limited to the filter socks, aeration pump, ultraviolet bulb, surge bowl gasket, utility pump and the weir. Take a sample of the mixed liquor for a settleable solids test. Record inspections in the MOJ, report in the MOJ the settleable solids results after 24 hours, recording the result in the MOJ.

The sludge shall be pumped at least once in four (4) years. The following shall be entered into the MOJ:

Date pumped out

Estimate volume of sludge removed either in gallons or weight.

Name of contractor performing the pump out, their address and telephone number

Final destination of sludge

When the unit is pumped out, the filter elements shall be inspected, and either replaced or cleaned. Dates of inspection, number of elements replaced and/or cleaned shall be noted in the MOJ.

The RME shall provide the homeowner with any updated owners manuals available from the manufacturer. Record in the MOJ when these were provided to the homeowner.

The RME shall establish normal operation schedules, providing the information to the homeowner, including but not limited to, aeration run cycles.

3. Stakeholder's BMP's

A management agreement (MA) with a NMED certified RME is required. If the homeowner has a State of New Mexico operator certification, then the homeowner can be the RME. (See E. 1 above)

In the event of a voided MA between the RME and the homeowner is broken by either party, then BOTH the homeowner and the RME shall notify both EPA and NMED orally within 24 hours, and in writing within 3 days after such event.

Additionally, EPA and/or NMED or their designated agent is authorized to enter upon the private property at reasonable times and upon reasonable notice to conduct inspections, take samples and monitor compliance. In the event that the homeowner is physically absent from the property and cannot provide entry, the homeowner shall make arrangements with the RME to provide entry into the site.

## **PART II - OTHER CONDITIONS**

### **A. 24-HOUR ORAL REPORTING: DAILY MAXIMUM LIMITATION VIOLATIONS**

Under the provisions of Part III.D.7.b.(3) of this permit, violations of daily maximum limitations for the following pollutants shall be reported orally to EPA Region 6, Compliance and Assurance Division, Water Enforcement Branch (6EN-W), Dallas, Texas, and concurrently to NMED within 24 hours from the time the RME becomes aware of the violation followed by a written report in five days.

Fecal coliform bacteria  
E. coli bacteria

### **B. PERMIT MODIFICATION AND REOPENER**

In accordance with [40 CFR Part 122.44(d)], the permit may be reopened and modified during the life of the permit if relevant portions of New Mexico's Water Quality Standards for Interstate and Intrastate Streams are revised, or new State water quality standards are established and/or remanded by the New Mexico Water Quality Control Commission.

In accordance with [40 CFR Part 122.62(s)(2)], the permit may be reopened and modified if new information is received that was not available at the time of permit issuance that would have justified the application of different permit conditions at the time of permit issuance. Permit modifications shall reflect the results of any of these actions and shall follow regulations listed at [40 CFR Part 124.5].

### **C. POLLUTANT PROHIBITIONS**

1. The following pollutants may not be introduced into the Multi-Flo treatment system, and are not authorized in the discharge:
  - (a) The disposal of household pesticides, rodenticides, herbicides, fungicides, paints, petroleum fuels and lubricants and solvents;
  - (b) Pollutants, which will cause corrosive structural damage to the system, but in no case discharges with pH lower than 5.0;
  - (c) Solid or viscous pollutants in amounts which will cause obstruction to the flow in the Multi-Flo, resulting in interference;

- (d) Any pollutant, including oxygen demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause Interference with the Multi-Flo;
- (e) Heat in amounts which will inhibit biological activity in the Multi-Flo resulting in interference.

**D. WHOLE EFFLUENT TOXICITY TESTING (48-HOUR ACUTE NOEC FRESHWATER)**

It is unlawful and a violation of this permit for a permittee or his designated agent, to manipulate test samples in any manner, to delay sample shipment, or to terminate or to cause to terminate a toxicity test. Once initiated, all toxicity tests must be completed unless specific authority has been granted by EPA Region 6 or the State NPDES permitting authority.

**1. SCOPE AND METHODOLOGY**

- a. The permittee shall test the effluent for toxicity in accordance with the provisions in this section.

APPLICABLE TO FINAL OUTFALL(S): 001

REPORTED ON DMR AS FINAL OUTFALL: 001

EFFLUENT CONCENTRATIONS (%): 28, 38, 51, 68, 90

CRITICAL DILUTION (%): 90

EFFLUENT DILUTION SERIES (%): 75

COMPOSITE SAMPLE TYPE: Defined at PART I

TEST SPECIES/METHODS: 40 CFR Part 136

Daphnia pulex acute static renewal 48 hour definitive toxicity test using EPA 821 R 02 012, or the latest update thereof. A minimum of five (5) replicates with eight (8) organisms per replicate must be used in the control and in each effluent dilution of this test.

Pimephales promelas (Fathead minnow) acute static renewal 48-hour definitive toxicity test using EPA 821 R 02 012, or the latest update thereof. A minimum of

five (5) replicates with eight (8) organisms per replicate must be used in the control and in each effluent dilution of this test.

- b. The NOEC (No Observed Lethal Effect Concentration) is defined as the greatest effluent dilution at and below which lethality that is statistically different from the control (0% effluent) at the 95% confidence level does not occur. Acute test failure is defined as a demonstration of a statistically significant lethal effect at test completion to a test species at or below the critical dilution.
- c. This permit may be reopened to require whole effluent toxicity limits, chemical specific effluent limits, additional testing, and/or other appropriate actions to address toxicity.
- d. Test failure is defined as a demonstration of statistically significant lethal effects to a test species at or below the effluent critical dilution.
- e. This permit does not establish requirements to automatically increase the WET testing frequency after a test failure, or to begin a toxicity reduction evaluation (TRE) in the event of multiple test failures. However, upon failure of any WET test, the permittee must report the test results to EPA and NMED, Surface Water Quality Bureau, in writing, within 5 business days of notification the test failure. EPA and NMED will review the test results and determine the appropriate action necessary, if any.

## 2. REQUIRED TOXICITY TESTING CONDITIONS

### a. Test Acceptance

The permittee shall repeat a test, including the control and all effluent dilutions, if the procedures and quality assurance requirements defined in the test methods or in this permit are not satisfied, including the following additional criteria:

- i. Each toxicity test control (0% effluent) must have a survival equal to or greater than 90%.
- ii. The percent coefficient of variation between replicates shall be 40% or less in the control (0% effluent) for: *Daphnia pulex* survival test; and Fathead minnow survival test.
- iii. The percent coefficient of variation between replicates shall be 40% or less in the critical dilution, unless significant lethal effects are exhibited for: *Daphnia pulex* survival test; and Fathead minnow survival test.

Test failure may not be construed or reported as invalid due to a coefficient of variation value of greater than 40%. A repeat test shall be conducted within the required reporting period of any test determined to be invalid.

b. Statistical Interpretation

For the *Daphnia pulex* survival test and the Fathead minnow survival test, the statistical analyses used to determine if there is a statistically significant difference between the control and the critical dilution shall be in accordance with the methods for determining the No Observed Effect Concentration (NOEC) as described in EPA 821 R 02 012 or the most recent update thereof.

If the conditions of Test Acceptability are met in Item 3.a above and the percent survival of the test organism is equal to or greater than 90% in the critical dilution concentration and all lower dilution concentrations, the test shall be considered to be a passing test, and the permittee shall report an NOEC of not less than the critical dilution for the DMR reporting requirements found in Item 4 below.

c. Dilution Water

- i. Dilution water used in the toxicity tests will be receiving water collected as close to the point of discharge as possible but unaffected by the discharge. The permittee shall substitute synthetic dilution water of similar pH, hardness, and alkalinity to the closest downstream perennial water for;

(A) toxicity tests conducted on effluent discharges to receiving water classified as intermittent streams; and

(B) toxicity tests conducted on effluent discharges where no receiving water is available due to zero flow conditions.

- ii. If the receiving water is unsatisfactory as a result of instream toxicity (fails to fulfill the test acceptance criteria of Item 3.a), the permittee may substitute synthetic dilution water for the receiving water in all subsequent tests provided the unacceptable receiving water test met the following stipulations:

(A) a synthetic dilution water control which fulfills the test acceptance requirements of Item 3.a was run concurrently with the receiving water control;

(B) the test indicating receiving water toxicity has been carried out to completion (i.e., 48 hours);

(C) the permittee includes all test results indicating receiving water toxicity with the full report and information required by Item 4 below; and

(D) the synthetic dilution water shall have a pH, hardness, and alkalinity similar to that of the receiving water or closest downstream perennial water not adversely affected by the discharge, provided the magnitude of these parameters will not cause toxicity in the synthetic dilution water.

d. Samples and Composites (**Grab Samples Are Authorized For This Permit**)

- i. The permittee shall collect two grab samples from the outfall(s) listed at Item 1.a above.
- ii. The permittee shall collect a second grab sample for use during the 24 hour renewal of each dilution concentration for both tests. The permittee must collect the grab samples so that the maximum holding time for any effluent sample shall not exceed 36 hours. The permittee must have initiated the toxicity test within 36 hours after the collection of the last portion of the first grab sample. Samples shall be chilled to 4 degrees Centigrade during collection, shipping, and/or storage.
- iii. The permittee must collect the grab samples such that the effluent samples are representative of any periodic episode of chlorination, biocide usage or other potentially toxic substance discharged on an intermittent basis.
- iv. If the flow from the outfall(s) being tested ceases during the collection of effluent samples, the requirements for the minimum number of effluent samples, the minimum number of effluent portions and the sample holding time are waived during that sampling period. However, the permittee must collect an effluent grab sample volume during the period of discharge that is sufficient to complete the required toxicity tests with daily renewal of effluent. When possible, the effluent samples used for the toxicity tests shall be collected on separate days. The effluent grab sample collection duration and the static renewal protocol associated with the abbreviated sample collection must be documented in the full report required in Item 4 of this section.

3. REPORTING

- a. The permittee shall prepare a full report of the results of all tests conducted pursuant to this Part in accordance with the Report Preparation Section of EPA 821 R 02 012, for every valid or invalid toxicity test initiated, whether carried to completion or not. The permittee shall retain each full report pursuant to the provisions of PART III.C.3 of this permit. The permittee shall submit full reports upon the specific request of the

Agency. For any test which fails, is considered invalid or which is terminated early for any reason, the full report must be submitted for agency review.

- b. A valid test for each species must be reported on the DMR during each reporting period specified in PART I of this permit unless the permittee is performing a TRE which may increase the frequency of testing and reporting. Only ONE set of biomonitoring data for each species is to be recorded on the DMR for each reporting period. The data submitted should reflect the LOWEST Survival results for each species during the reporting period. All invalid tests, repeat tests (for invalid tests), and retests (for tests previously failed) performed during the reporting period must be attached to the DMR for EPA review.
- c. The permittee shall report the following results of each valid toxicity test on the subsequent monthly DMR for that reporting period in accordance with PART III.D.4 of this permit. Submit retest information clearly marked as such with the following month's DMR. Only results of valid tests are to be reported on the DMR.
  - i. *Daphnia pulex*
    - (A) If the NOEC for survival is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TEM3D.
    - (B) Report the NOEC value for survival, Parameter No. TOM3D.
    - (C) Report the highest (critical dilution or control) Coefficient of Variation, Parameter No. TQM3D.
  - ii. *Pimephales promelas* (Fathead minnow)
    - (A) If the No Observed Effect Concentration (NOEC) for survival is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TEM6C.
    - (B) Report the NOEC value for survival, Parameter No. TOM6C.
    - (C) Report the highest (critical dilution or control) Coefficient of Variation, Parameter No. TQM6C.
- d. If retests are required either by EPA and/or NMED, enter the following codes on the DMR for retests only:
  - i. For retest number 1, Parameter 22415, enter a "1" if the NOEC for survival is less than the critical dilution; otherwise, enter a "0."



- ii. For retest number 2, Parameter 22416, enter a "1" if the NOEC for survival is less than the critical dilution; otherwise, enter a "0."